



Staff Report PC16-034-OV

307 S Main Street Ordinance Violation

Docket PC16-034-OV- The property owners of 307 S Main Street, Whitestown IN 46075 has been cited for an unsafe building violation. This violation includes roofing disrepair, broken or missing window panes, gutters, downspouts, and weather tight items are absent causing deterioration of structure. The property owner is Micael G. Hildred and Cearra Hildred.



History

The subject property received the following violations on the dates below:

Warning- 7/12/16

1st Violation- 8/22/2016

2nd Violation- 9/21/2016

3rd Final Violation- 10/7/2016

The Boone County Health Department provided an Official Notice to the Building Department on July 18th 2016.

The property owners have received certified mailing notices of this violation.

Photograph of multiple violations being recorded on site below:



Zoning and Context

The property is currently zoned R-3 Residential and the existing zoning surrounding the property is below:

- North: R-3 Residential
- East: R-3 Residential
- South: R-3 Residential
- West: R-3 Residential



Ordinance Compliance

IC 36-7-9-1

Sec. 3. The legislative body of a municipality or county may adopt this chapter by ordinance. The ordinance must specify the executive department of the unit responsible for the administration of this chapter or establish such a department. However, in a municipality in which a commissioner of buildings was appointed to administer IC 18-5-5 (before its repeal on September 1, 1981), the commissioner of buildings is responsible for the administration of this chapter. The ordinance must also incorporate by reference the definition of “substantial property interest” in this chapter.

IC 36-7-9-4 Unsafe Buildings and unsafe premises described

Sec. 4. (a) For purposes of this chapter, a building or structure, or any part of a building or structure, that is:

- (1) In an impaired structural condition that makes it unsafe to a person or property; (2) a fire hazard; (3) a hazard to the public health; (4) a public nuisance; (5) dangerous to a person or property because of a violation of a statute or ordinance concerning building condition or maintenance; or (6) vacant and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of a statute or an ordinance;

ORDINANCE 2014-15b

“WHEREAS, the Town Council finds that deteriorated structures constitute a hazard to public health, safety, and welfare; attract vermin, vagrants, and criminals; cause a decrease of property values; and create a serious and substantial problem and are public nuisances; “

Staff Comments

There have been multiple violations on this property including grass, weeds and shrub violations and unsafe building violations without any corrective action.

The Boone County Health Department has issued an Official Notice and provided the Whitestown Code Enforcement with this documentation.

Staff Recommendation

Staff Recommends that the Plan Commission affirm the order and impose a fine of \$5,000 if the premise is not brought into compliance or demolished within 30 days.